

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. MJ 08-538
Plaintiff,)
v.)
CARLOS A. VILLALOBOS,) DETENTION ORDER
Defendant.)

Offense charged: Possession of Methamphetamine with Intent to Distribute

Date of Detention Hearing: December 1, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both

01 dangerousness and flight risk, under 18 U.S.C. §3142(e).

02 2. The Complaint alleges that defendant was the driver of a vehicle involved in a drug
03 transaction involving a large quantity of crystal “ice” methamphetamine, following which the
04 defendant is alleged to have left the scene at a high rate of speed. When arrested, two loaded
05 firearms were found in the unlocked center console of the car, with two fully-loaded magazines,
06 which defendant is alleged to have admitted belonged to him. Defendant had a pistol holster
07 attached to his belt.

08 3. Defendant has strong ties to this community and is a legal resident. He is a citizen
09 of Mexico with strong family ties to that country.

10 4. Taken as a whole, the record does not effectively rebut the presumption that no
11 condition or combination of conditions will reasonably assure the appearance of the defendant as
12 required and the safety of the community.

13 It is therefore ORDERED:

14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the extent
16 practicable, from persons awaiting or serving sentences or being held in custody
17 pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation with
19 counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 Government, the person in charge of the corrections facility in which defendant is
22 confined shall deliver the defendant to a United States Marshal for the purpose of

an appearance in connection with a court proceeding; and

(4) The clerk shall direct copies of this Order to counsel for the United States, to counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services Officer.

DATED this 1st day of December, 2008.



Mary Alice Theiler
United States Magistrate Judge